



ASIA-PACIFIC RIGHTS AND JUSTICE INITIATIVE

LEARNING FROM PRACTICE: GUIDELINES FOR WRITE-UPS OF CASE STUDIES ON ACCESS TO JUSTICE



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1. What is a case study?

Projects are by nature adapted to the local context – it is well established that blueprints do not work. But projects do often generate practices, experiences or lessons that are potentially applicable or transferable to other situations. *To distil these is the purpose of the write-ups of case studies under the Asia Pacific Rights and Justice Initiative.* In a nutshell, **case studies describe the distilled lessons learnt of a localized experience for the purposes of knowledge transfer.** They may refer to specific elements in a project, as well as to non-project interventions. The notion of lessons includes also lessons from failure in bringing about changes, which are at least as useful as success lessons.

2. Parameters of a case study write-up

Case studies have the following parameters:

- **To the point analysis:** They need to be written up with a view on reducing the time for acquiring knowledge – they should be as **succinct** as possible.
- **Describing success and failures:** Case studies are not write-ups of achievements. Their purpose is the transfer of knowledge on how to bring about human development changes; therefore they should include **successful as well as failed experiences.** Learning from failure is at least as important as learning from success.
- **Focus on why and how:** Case studies focus on the why and how a certain initiative became a success/failure rather than describing only the success/failure itself.
- **Flexible unit of analysis:** The unit of analysis is normally not the project¹. Rather it is **components of the project** that managed/failed to bring about changes, **or non-project activities** that contributed to change².
- **Outputs/outcomes – process – operational aspects:** Lessons may relate to (a) *outputs and outcomes of access to justice programmes* (such as responding to critical capacity problems on access to justice), (b) *the process that was followed*, including the application of rights-based principles in the development process, and (c) *“operational” aspects.*

¹ Projects (that are linked to a variety of situation-specific conditions), can never be good/bad practices by themselves, however certain elements of projects that are distilled for the purposes of knowledge transfer can be.

² For instance, joint advocacy and exchange of information with other UN agencies such as the OHCHR and UNICEF; participation in civil society networks, seminars and conferences; partnerships with other donors; policy advice and advocacy, etc.

3. **Suggested structure:**

a) CATEGORIZATION OF LESSON (2-3 lines):

- i. Relevant SRF service line and Strategic Area of Support.
- ii. Brief statement of the scope of the case study in terms of substantive and/or operational aspects, for example:
 - *Example 1: Mechanisms to improve investigation in remote rural areas: strengthening the Prosecutor's Office.*
 - *Example 2: Impact and challenges to participation of poor women during the implementation of a judicial reform programme.*

b) BACKGROUND (Max 1 page):

➤ **Access to Justice problem being addressed.**

1. Which access to justice problem does the case study address?
 - *Describe the development problem within the access to justice sub-practice framework, e.g.: relate the study to (a) existence of remedy, (b) capacity to seek a remedy (legal empowerment), and (c) capacity to provide effective remedies.*
2. What was the strategy used to address that problem? (Brief description of the programmatic context of the case study). Include hyperlinks to relevant programme documents.

c) FINDINGS AND CONCLUSIONS (Max 2-3 pages)

The purpose of this section is to determine what worked, what didn't and why. To this end it is suggested that the case study analyses **one or more of the following dimensions:** (a) Outputs/Outcomes, (b) Process, and (c) Operational aspects.

In each of these dimensions, the case study write-up should answer **two major questions:**

- 1) ***What were the challenges faced?*** (See each section for sample questions that can help to specify the type of challenges faced in each area)
- 2) ***What were the strengths and weaknesses of the strategies used to address those challenges?***

i. **Lessons on Output/outcome:**

Some sample questions to specify the type of challenges in this area could include³:

- What was the relevance (and/or limitations) of output/outcome to address the access to justice problem?
- What were the Influential (and/or undesired) results (results obtained outside the planned scope of the activity)?

ii. **Lessons on process**

Some sample questions to specify process challenges from a rights-based perspective could include (*the case study should focus only on the type of challenges where lessons can be extracted*)⁴:

- *Participation*: Were claim-holders and duty-bearers involved in design and implementation?
- *Accountability*: Were there mechanisms for transparency and access to information, participatory monitoring and evaluation systems, etc.?
- *Non-discrimination*: Were there efforts to ensure participation of most disadvantaged groups?
- *Empowerment*: What was the degree of decision-making capacity in claim-holders and duty-bearers?
- *Linkages to human rights standards, Progressive realization/ non-retrogression*: Were linkages to human rights standards explicit? Were there mechanisms to ensure sustainability of improvements in access to justice?

iii. **Operational lessons**

Some sample questions to specify the type of challenges in this area could include⁵:

- *Constituency building*: Was the strategy successful in ensuring support by major stakeholders?
- *Feasibility*: Did the planned strategy manage to translate activities into outputs? Did the strategy manage to influence outcomes? Was the strategy adaptable to unplanned contexts?
- *Cost-efficiency*: Were outputs delivered according to plan, time schedule and budget allocation?
- *Ownership*: What was the degree of financial, social and political commitment to implementation and sustainability?

³ Remember the identification of challenges should be followed by an assessment of the strengths and weaknesses of the strategies used to address such challenges.

⁴ Ibid.

⁵ Ibid.

iv. **Recommendations**

This section succinctly presents the recommendations evolving from the analysis under i., ii., and iii that should be taken into account when embarking on a similar initiative/project.

d) **SUMMARY BOX (Max 1 page):**

This box should contain the categorization of the case study (point “a” above) and the critical lessons and recommendations for the sub-practice.

4. Responsibilities of main parties involved

- Authors:
 - i. Write the case studies within the agreed outline and timeframe.
 - ii. If necessary identify necessary support mechanism through SURF facilitation or mutual support initiative (inviting a fellow CO practitioner to help you).
 - iii. Provide members of peer group a first draft of the lesson within the timeframe agreed by the group.
 - iv. *As member of the peer group* establish a work plan for the group. Revise first draft of lessons and provide suggestions to author within the agreed timeframe. Help author in obtaining sources of information.
- SURFs Advisers/Task Facilitator:
 - i. Draft outline for extraction of lessons, and finalize outline with inputs from the AP-A2J Network.
 - ii. Help author in obtaining sources of information and provide guidance in write-up process.
 - iii. Facilitate joint collaboration and other incentives within budget and time availability.
 - iv. Revise draft lessons and provide feedback when requested.
 - v. Consolidate lessons learnt piece.
- IDG/OGC: Ensure dissemination of lessons within UNDP globally.
- DRR/RR: Support the staff member to engage in this exercise with time availability within the possibilities of the Country Office's demands.

5. Incentives

At the end of the exercise, the AP-A2J network will decide which case studies are outstanding in terms of analytical write up and usefulness. The authors of the five best case studies will receive recognition: their names and case studies will be published on the global networks and their respective supervisors will be informed. Financial support for mutual help in writing up case studies can be provided on a *first come first served* basis by the SURF.

6. How to get started

- *If you have already committed to a specific lesson:*
 - Contact the members of your peer group and agree on a common work plan. Send the plan to the SURF focal points (requests for financial support will be allocated on a first come, first served basis).

- *If you have not yet committed to a specific lesson, but would like to provide one:*
 - Contact the SURF focal points and suggest the subject of the lesson (you may want to look at the Visioning workshop report (pages 21-24) for suggested areas where lessons are needed, or suggest a different area). Disseminate your suggestion in the AP-A2J Network (ap-a2j@groups.undp.org). The SURFs will assign a peer group or act as peer group themselves to support you in this task.